

***NATIONAL MARINE FISHERIES SERVICE INSTRUCTION 36-103-01
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***Human Resources
NOAA Fisheries Telework Policy***

NOAA FISHERIES TELEWORK IMPLEMENTATION PROCEDURES

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Signed /s/ 11/29/2004
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NOAA Fisheries Telework Implementing Procedures

(Addendum to the NOAA Telework Policy Dated November 28, 2003)



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1. INTRODUCTION

Public Law 106-346, Section 359, of October 23, 2000, provides in part that each executive agency shall establish a Policy under which eligible employees of the agency may participate in telecommuting to the maximum extent possible without diminishing employee performance.

In compliance with NOAA's guidance, this document is an *addendum* to NOAA's Telework Policy and serves to provide specific implementing procedures that shall be followed by all NOAA Fisheries employees. This document has been reviewed by appropriate labor-management officials and addresses sections which require Policy decisions be made at the organizational level.

2. BACKGROUND (Please refer to the NOAA Telework Policy for additional information.)

3. STATEMENT OF PURPOSE

The NOAA Fisheries Telework Implementation Procedures, an addendum to the NOAA Telework Policy, dated November 28, 2003, adopts in full and supplements the NOAA Telework Policy. Any previous NOAA Fisheries guidelines issued under the Flexiplace authority are hereby cancelled, except those necessary due to existing collective bargaining agreements.

4. SCOPE

The provisions of this document apply to all NOAA Fisheries employees, supervisory and non-supervisory, located in headquarters and field installations participating in the NOAA Telework Program. It **does not** apply to employees serving **probationary or trial periods, nor student interns**.

5. OFFICIAL DUTY STATION

The official duty station of an employee who teleworks remains unchanged for purposes of pay, leave, benefits, and other entitlements.

6. EFFECTIVE DATE

The NOAA Fisheries Telework Program is effective upon approval by the NOAA's Office of Human Resources Management (OHRM) and the Assistant Administrator for Fisheries as shown on the cover of this document.

7. PROGRAM OVERSIGHT AND RESPONSIBILITIES

Office of the Assistant Administrator for Fisheries is responsible for Fisheries-wide oversight of the NOAA Fisheries Telework Program. To ensure consistency throughout NOAA Fisheries, the office of the Assistant Administrator for Fisheries shall approve and monitor policies submitted by Regional Offices and Science Centers that augment the NOAA Fisheries Telework Implementation Procedures. The Office of the Assistant Administrator shall periodically review telework approvals and disapprovals to ensure consistency of application, direct changes as necessary, and provide guidance and assistance. In addition, the Office of the Assistant Administrator for Fisheries is responsible for any telework reporting.

NOAA Fisheries Telework Coordinator is appointed by the Assistant Administrator for Fisheries and shall serve as the Fisheries Headquarters liaison. The NOAA Fisheries Telework Coordinator is responsible for disseminating telework information to staff office liaisons, providing advice and assistance in preparing, and keeping the Assistant Administrator for Fisheries informed of any significant changes in the program and ensuring that training and/or orientation has been completed by employees before participation is approved. Each Region and Science Center is responsible for designating a Telework Liaison, who will work with the NOAA Fisheries Telework Coordinator, to ensure disseminating of information, collecting of appropriate data and submission of periodic reports.

Regional Administrators, Science Center Directors, and Headquarters Office Directors are responsible for the funding, administration, operation, and evaluation of their telework activity. Each Region and Science Center shall designate a Telework liaison and provide the individual's name to the NOAA Fisheries Telework Coordinator.

Regional Offices and Science Centers that augment the NOAA Fisheries Telework Implementation Procedures must receive approval by the Office of the Assistant Administrator for Fisheries prior to implementation.

Regional Offices and Science Center Telework Liaisons will serve as the central point of contact to the NOAA Fisheries Telework Coordinator for receiving and distributing telework information, responding to the NOAA Fisheries Telework Coordinator request for statistical and program information, assuring that augmenting policies are approved by the Assistant Administrator prior to implementing, and providing feedback.

Approving Officials are the Office Directors or Deputy Directors. Approving officials will approve, disapprove, modify or terminate employees' participation in telework. If the approving official is someone other than an employee's immediate supervisor, the decision by the approving official will be made in consultation with the employee's immediate supervisor. In addition to the above, *approving officials* are responsible for:

- Approving the identification of the function, or portion thereof, of a position suitable for telework.
- Documenting approval/disapproval decisions and the rationale for such decisions, for each employee's request to participate in the telework program. Upon request, providing to HRMO documented approvals and disapprovals to allow monitoring of the program for consistency among approving officials.
- Reviewing, modifying, and terminating telework agreements in consultation with the employee's immediate supervisor in accordance with the NOAA Telework Policy.
- Authorizing the expenditure of funds to cover expenses associated with approved telework arrangements, subject to funding availability and managerial discretion.
- Evaluating the impact of the program on the efficiency, effectiveness, and employee satisfaction of work operations within their organizations.
- Notifying and negotiating with Union Officials, when applicable, prior to implementation of the telework program.
- Ensuring that all employees are briefed on the basics of NOAA's Telework Program and that all participating employees and supervisors attend a telework orientation session prior to participating and complete the web-based training exercise.

Supervisors are responsible for:

- The overall management and success of teleworking within their work units, including day-to-day operations, and modifications to individual telework agreements to meet mission needs or changing circumstances.
- Maintaining telework records for use in monitoring the program's effectiveness to include, at a minimum, the total number of employees eligible to telework, total number of eligible employees actually teleworking, and the total number of eligible employees given the opportunity to telework.
- Identifying functions, or portions thereof, of positions suitable to participate in telework and sharing this information with all

employees.

- Identifying employees eligible to participate in telework based on position analysis.
- Developing and amending performance work plans, as needed, for work performed away from the official duty station.
- Assigning appropriate work to be performed at the alternative work site.
- Adjusting individual telework arrangements to meet the needs of the units they supervise.

Employees are required to:

- Actively participate in the development and completion of the NOAA Telework Application, Agreement, and Safety Check List.
- Observe agreed-upon hours of work in accordance with established policies.
- Observe policies on requesting leave when leave is to be taken.
- Use Government equipment in accordance with regulations governing use.
- Adhere to and operate under the provisions of the telework agreement.
- Inform supervisors promptly of an injury or occupational disease occurring at the alternative work site.
- Pay for all operating costs incurred for set up and maintenance of an alternative work place not covered by the line and staff offices implementing procedures.
- Ensure the security of the information and systems under their control.
- Verify that the alternative work site complies with health and safety requirements, and maintain safety at the alternative work site.

8. POLICY - In accordance with NOAA's Telework Policy, NOAA Fisheries will:

- Allow for 100% of **eligible employees'** to participate in telework by October 2004.
- Allow employees to work no more than 4 days per workweek at the

alternative work site.

- Designate the Director or Deputy Director of the organization as the official to approve, disapprove, modify, and/or terminate telework agreements.
- Provide an advance notification period that is no less than two (2) administrative workweeks when terminating or modifying a telework agreement.
- Require the immediate supervisor, with the concurrence of the Director or Deputy Director of the organization to identify the functions, duties, and tasks of positions within his/her area that are suitable for telework and those positions that are not.
- Authorize the expenditure of funds for associated telework implementation costs, including expenses associated with equipment. However, each individual office is responsible for any cost incurred as a result of a telework arrangement. The decision to approve or disapprove the purchase of equipment associated with an approved telework arrangement lies with the immediate supervisor or his/her designee.
- Authorize the expenditure of appropriated funds to cover expenses associated with approved telework arrangements, e.g., installation of telephone lines, phones, etc., as available. However, each individual office is responsible for any cost incurred as a result of a telework arrangement. The decision to approve or disapprove the purchase of equipment associated with an approved telework arrangement lies solely with the immediate supervisor or his/her designee.

Voluntary Participation - Please refer to the NOAA Telework Policy for additional information.

Modification and Termination - Management will provide an advance notification period that is no less than two (2) administrative workweeks when terminating or modifying agreement.

Equal Opportunity - Please refer to the NOAA Telework Policy for additional information.

Standards of Ethical Conduct - Please refer to the NOAA Telework Policy for additional information.

Labor-Management Relations - Labor Union representatives were notified of Fisheries intent to implement this plan. In accordance with Labor Relations obligations, negotiations were held and completed.

9. REPORTING REQUIREMENTS

Telework liaisons from Regional Offices and Science Centers are the

primary contacts for reporting the status and success of their telework programs to the NOAA Fisheries Telework Coordinator. The

NOAA Fisheries Telework Coordinator will collect information from headquarters offices and submit to the NOAA Telework Coordinator who will prepare all reports required by NOAA and the Department of Commerce.

10. IDENTIFYING JOBS AND DUTIES SUITED FOR TELEWORK

Work suitable for telework depends on job content, rather than job series or title, type of appointment or work schedule. In addition jobs not entirely suited for telework may contain duties that can be performed at an alternative work site either on a regularly scheduled or episodic basis. Several tasks and functions generally suited for telework include:

- thinking and writing
- policy development
- research
- analysis (e.g. investigating, program analysis, financial analysis)
- report writing
- telephone-intensive task
- computer-oriented task (e.g. programming, data entry, etc.)

Positions not generally eligible for telework are those positions, as determined by the supervisor, with the concurrence of the Director or Deputy Director of the organization, involving tasks that are not suitable to be performed away from the traditional worksite, including tasks that:

- require the employee to have daily face-to-face contact with the supervisor, colleagues, clients, or the general public in order to perform his or her job effectively, which cannot otherwise be achieved via e-mail, telephone, fax or similar electronic means.
- require daily access to classified information.
- involve the construction/installation, maintenance, and/or repair of NMFS facilities.
- involve the physical protection of NMFS facilities or employees.
- are a part of trainee or entry level positions.

NOTE: The decision as to whether a job or duty is suitable for telework will be made by the supervisor and must be approved by the Director or Deputy Director when the employee submits his or her request.

11. SELECTING TELEWORK PARTICIPANTS

Basic Eligibility Requirements. Although the approving official has decision authority, an employee and supervisor should work together to determine if telework is appropriate. An employee may be authorized to telework if:

- a) the immediate supervisor certifies that there are sufficient duties or work activities that can suitably be performed at an alternative work site.
- b) for a five-level performance management system, the employee's most recent performance appraisal is "Commendable" or "Outstanding," his/her record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- c) for a pass/fail performance management system, the employee's most recent performance appraisal is "Meets or Exceeds Expectations" or "Eligible" depending upon the system, and in the performance of his/her duties, the employee consistently meets performance plan objectives in terms of quality and quantity of work, demonstrates a high level of proficiency in solving problems as they arise, and produces high quality written products which are unambiguous and convincing. The employee also must demonstrate a high level of reliability in following supervisory and organizational policies and procedures in the performance of assigned duties. As for the five-level performance management system, the employee's record of attendance shows no pattern of leave abuse or excessive absence, as determined by the organizational unit, and the immediate supervisor certifies that no additional factors, as described below, preclude the employee from entering into a telework agreement.
- d) the employee signs a written telework agreement.

Additional Factors for Consideration. In determining if telework is appropriate, the office director may establish additional factors to augment the basic eligibility requirements. These factors must be identified in the telework implementing procedures under the selection factors. Office directors that do not develop telework implementing procedures will not be allowed to augment the basic eligibility requirements. Examples of additional factors are:

- a) *Conduct.* Is the employee's conduct considered acceptable? A record of misconduct does not necessarily prevent an employee from

teleworking, but it can be considered when the nature of the misconduct may cast doubt on the employee's ability to successfully work at an alternative work site. For example, an employee who has been disciplined for unauthorized absences from the work site may not be a suitable candidate for telework

b) *Supervision*. Is the employee capable of working without close supervision? Telework may not be suitable for employees in developmental or on-the-job training assignments which require close monitoring.

c) *Organization and Time Management Skills*. Is the employee effective in setting work priorities and meeting deadlines?

d) *Contact with Others*. Does the employee need to have face-to-face contact with the supervisor, other employees, clients, or the general public?

e) *Immovable Material*. Does the employee need access to material that cannot be moved from the conventional office?

f) *Facilities and Equipment*. Is the office capable of providing special equipment or facilities necessary for the employee to telework? Would it be costly for the office to duplicate the same level of security at the alternative worksite?

g) *Other*. Does the employee need to be in the office to learn the organization? Will telework adversely affect the performance of the employee who teleworks or his or her coworkers?

12. AUTHORIZED TELEWORK ARRANGEMENTS - Please refer to the NOAA Telework Policy for additional information.

13. TELEWORK AGREEMENTS

Prior to an employee's participation in a telework program, the employee must complete (1) the application and agreement form, and (2) the safety checklist. *Copies of the approved forms will be maintained by the approving official or his/her designee, for any reporting requirements.*

Approved telework participants must sign a telework agreement before participating in telework. For employees who telework on an intermittent basis, a separate agreement for each telework episode is **not** necessary if the employee has signed an agreement specifying that it is on an intermittent basis. Each incident of telework must have advance supervisory approval. Individual telework agreements must be reviewed and renewed at least annually to remain in effect.

The telework agreement covers the terms and conditions of the telework arrangement. It also constitutes an agreement by the employee to adhere to applicable guidelines and policies. The telework

agreement covers items such as the voluntary nature of the arrangement; duration of the telework agreement; hours and days of duty at each work site; responsibilities for timekeeping; leave approval; requests for overtime and compensatory time; performance

requirements; proper use and safeguards of Government property and records; and standards of ethical conduct.

The following forms are attached as an appendix and must be submitted when requesting a Telework assignment.

- 1- NOAA Fisheries Telework Application and Agreement
- 2- NOAA Fisheries Telework Safety Checklist
- 3- NOAA Fisheries Telework Termination Form

NOTE: Regional Offices, Science Centers, and Headquarters Office Directors may augment with additional forms upon review and approval by the Office of the Assistant Administrator.

14. NOAA FISHERIES WORK SCHEDULE

Telework arrangements may be established on either a regularly scheduled or intermittent (episodic) basis.

NOAA Fisheries employees participating in telework may not exceed 4 days per workweek at the alternative worksite. This will, (1) minimize isolation and communication problems, (2) ensure integration of the teleworking employee with co-workers in the conventional office, and (3) allow teleworking employees to attend required meetings.

15. HOURS OF DUTY, TIME AND ATTENDANCE, PAY AND OTHER MISCELLANEOUS ISSUES

Hours of Duty. *Employees who telework may work the same standard, flexible, maxiflex, or compressed schedules that they work in their conventional office* if both the employee and the supervisor are in agreement. Work schedules may be changed with supervisor approval and in accordance with established procedures. Completely unstructured arrangements where employees work at the alternative work site are not permitted. (**NOTE:** Earning credit hours and/or compensatory time must be approved in advance by supervisor of record.)

Certification and Control of Time and Attendance - Time and attendance reporting procedures will remain the same for employees who telecommute. Supervisors are responsible for devising a time accounting method for the proper monitoring and certification of employees' work time. Visits by the supervisor to the employee's work site are permitted with a one-week advanced notice. (See the NOAA Telework Policy for additional guidance.)

Overtime Work - In accordance with DOC Pay Policy, overtime must be approved in advance (memo, e-mail, CD-81) to preclude any unintended liability for premium pay. Employees who telework must have prior supervisory approval to work overtime. Failure to obtain supervisory

approval prior to working overtime may result in the termination of the telework arrangement, and the time worked may not be compensated. (See the NOAA Telework Policy.)

Leave - Employees participating in telework must adhere to all established leave procedures. The procedures for requesting leave remains unchanged for telework participants, i.e., teleworkers are still required to request and obtain approval of leave in advance of its use.

Emergency Conditions - Please refer to the NOAA Telework Policy for additional information.

Workers' Compensation - Employees who telework are covered by the Federal Tort Claims Act and the Federal Employees Compensation Act and may qualify for workers' compensation for injuries or illnesses sustained while performing their official duties at an alternative work site. (See the NOAA Telework Policy for additional guidance.)

Workplace Environment - Any employee participating in telework is expected to perform his/her duties and responsibilities at the telework location at a proficiency level equal to or greater than when performed at the conventional office and work for the entire time period scheduled. Consequently, it is critical that the alternative work-site be free from distractions and the employee free from obligations which would impair his/her ability to provide the same time and level of attention to the work product as when in the conventional office.

Dependent Care - No telework arrangement is authorized which entails the employee providing dependent care to any individual.

Official Duty Station - For Fisheries employees, the "official duty station" for pay purposes remains the employees conventional office. (See Section 5. Official Duty Station.)

16. FACILITIES AND EQUIPMENT

Alternative Office Space - In the employee's home, a specific work location for performance of work-at-home duties must be identified and authorized in advance. Requirements will vary depending on the nature of the work and the equipment needed to perform the work.

Alternative Office - "Work at Home" only is authorized for employees wishing to Telework. At a minimum, employees should be able to easily communicate by telephone with the supervisor, and service clients, and

co-workers during the telework day. In addition, employees are responsible for verifying and ensuring that their alternative work areas comply with health and safety requirements (see the self-certification Safety Checklist on page A-2.) Work areas must be clean and free of obstructions, in compliance with all building codes, and

free of hazardous materials. A supervisor may inspect the alternative work site for compliance with health and safety requirements when deemed appropriate and with an advance notice of at least one week. An employee's request to telework may be disapproved or rescinded based on safety problems or the presence of hazardous materials.

Government-owned Equipment - The Director or Deputy Director of each office will have final approving authority on the purchase or transfer and installation of Government-owned equipment for its employees who telework. Offices are under no obligation to provide Government-owned equipment to their employees solely for the purpose of teleworking. Where funding limitations may constrain employee participation in telework, managers should explore alternative arrangements to permit employees to telework. Consultation with appropriate approving and subject matter officials, i.e., the Chief Financial Office and Information Technology Office or his/her designee, shall occur to ensure that the parameters of governing laws, rules, regulations, and budgetary constraints are considered. Government-owned equipment is to be used only for authorized purposes and the Government retains ownership and control of the hardware, software, and data. In these situations, the Government is responsible for the maintenance, repair, and replacement of such equipment. Teleworking employees must notify their supervisors immediately of any malfunction of Government-owned equipment and return the equipment to the office for service.

Government-owned Computer Security Issues - Only hardware/software configurations procured by the Federal government and authorized by the Director or Deputy Director of each office for the alternative work site should be installed. Under no circumstances is an employee allowed to add non-government owned or unauthorized hardware or software to government equipment.

Computer Software Copyrights - Where individual license agreements allow for computer software to be installed on multiple computers, as long as only one is in use at any given time, employees may upon approval, install Government-licensed computer software on the alternative work site computer to perform official work. Each software manufacturer's license agreements terms must be examined on a case-by-case basis to determine whether or not this is permissible by the operating unit Chief Information Officer or his/her designee who will consult with the Office of General Counsel on the interpretation of any license. This will reduce telework expenses for the employee, while expanding the nature of work that may be performed at the alternative office.

Commercial Computer Software - Request to use software purchased by

the Government at the alternative work site must be approved by an employee's immediate supervisor. A supervisor must take the appropriate steps to ensure that employee's use of government owned software is not prohibited by a license agreement. Consultation with CIO or designee should be a part of this process.

Personal Computer Equipment - If the teleworking employee elects to use his or her personal computer equipment at the alternative work site, the employee is responsible for the purchasing, servicing, and maintenance costs associated with that equipment. The Government will not reimburse employees for such costs. The computer must have antivirus software and all files transferred to the government computer, electronically or by disk must be scanned. Complete compliance with the DOC Unclassified System Remote Access Security Policy and Minimum Implementation Standards is required. Consultation with NOAA Fisheries CIO or designee should be a part of this process.

Installation of Telephone Lines - NOAA Fisheries may allow for appropriated funds to be used, when necessary, to pay for telephone line installation and monthly service charges for telephone, cable, DSL, or ISDN lines at the alternative work site. However, it is the responsibility of the employee's approving official to ensure that funds are available within his/her annual budget. NOTE: Lines installed must be for official government business only and specific to the telework arrangement. Once the telework agreement has been canceled, all service will be cancelled. NOAA Fisheries will not pay for installation or monthly service charges for a single telephone, cable, DSL, or ISDN line that will be used for both Government and personal purposes. Government calling cards may be used by teleworking employees to make long distance telephone calls to conduct official government business. Employees are required to adhere to the rules governing usage of government telephone lines for personal purposes at the alternative work site.

Personal Expenses - see NOAA Telework Policy.

17. SECURE OPERATIONS - The NOAA Fisheries' Chief Information Officer (CIO) has the overall responsibility for issuing and maintaining procedures and minimum implementation standards for remote access security, which includes access to information technology systems required for networks.

Regional Information Technology Coordinators (RITC) located at both Regional Offices and Science Centers will provide guidance and assist in implementing procedures for ensuring that remote access systems used by Teleworkers from alternate work sites are compliant with existing security measures. **(NOTE:** RITCs are listed on page 17 of this implementation plan). All teleworkers who will need to access a NOAA website from an alternate work site must consult with the appropriate IT Coordinator before proceeding to do so. NOAA Fisheries headquarters personnel should contact the NOAA Fisheries Office of the CIO.

Teleworkers are responsible for following NOAA's Information Technology Program Policy, Remote Access Security Policy and Minimum Implementation Standards, all applicable policies contained in the Department's Information Technology Management Handbook. In addition, teleworkers must comply with security procedures to protect Government information stored on magnetic media of the workplace or privately owned computers when the computers are repaired or serviced. Where the hard drive of a alternative workplace computer is inoperable, arrangements must be made to remove sensitive information from the hard disk prior to having the computer serviced. This same procedure must be followed regardless of whether the computer belongs to the employee or the government. To do this, teleworker should contact their NOAA Fisheries IT Coordinator.

In addition, the teleworker **must** use the *Fisheries Virtual Private Network* to connect to Fisheries internal computer resources and comply with the *Fisheries Virtual Private Network Implementation Procedures*.

Supervisors must ensure adequate property management procedures for the accountable property (computers), whether owned or leased, to ensure an immediately retrievable inventory and physical location identification of automated data processing equipment and software.

Supervisors are responsible for ensuring that teleworkers follow the security practices outlined in the NOAA Fisheries IT security policies.

Supervisors must ensure that the designed workspace of the employee has adequate physical or environmental security measures in place to protect the equipment from being accessed by unauthorized individuals. To accomplish this, employees must identify the proposed work area and certify in writing the security measures that will be used.

18. PREPARING FOR THE TELEWORK ARRANGEMENT

The following actions are to be taken when establishing a telework arrangement:

- Employee and supervisor must complete the "**NOAA Telework Program Orientation Module**" located at:

<http://www.rdc.noaa.gov/%7Ehrmo/telwk-orientation.htm>
- The employee and supervisor must discuss the proposed telework arrangement and the type of work to be done by the employee at an alternative work site.
- If a suitable arrangement is reached, the employee and supervisor must complete the NOAA Fisheries Telework Application and Agreement and the NOAA Fisheries Self-certification Safety Checklist if the

alternative work site is in the employee's home. (See A-1 and A-2)

- The NOAA Fisheries Telework Agreement is signed by the employee, supervisor, and the approving official.
- Verify that the employee has completed the Security Awareness training.
- Obtain information required for accessing the secured operations of the conventional office. Verify that all required IT security requirements have been met, i.e., firewall and virus scan software are installed and used on the alternative work site computer.
- Employees using his/her personal equipment must make arrangements with their IT staff to borrow software installation disks (or CD's) and installation instructions for installing on the employee's personal computer at the alternative work site (if the software package's licensing agreement allows).

19. PRIVACY ACT, SENSITIVE, OR CLASSIFIED INFORMATION

Decisions regarding the proper use and handling of sensitive data, as well as records subject to the Privacy Act, will be made by the employee's supervisor who permits employees to work at home. Care must be taken to ensure records subject to the Privacy Act and sensitive non-classified data are not disclosed to anyone except those who are authorized to access to perform their duties. In general, privacy act files should not be stored on the home computer regardless of who owns it. (See the NOAA Telework Policy for additional guidance.)

20. TELEWORK ORIENTATION AND TRAINING

NOAA Fisheries will provide periodic briefings for employees on the basics of NOAA's Telework Program. Additionally, supervisors, managers, and employees participating in telework must take NOAA's telework web-based training prior to participating in telework. (See Section 18. for additional information.)

21. OTHER ISSUES

Dependent Care - Employees may not use duty time for providing dependent care, or for any other purpose other than official duties.

**Information Technology and Computer Service Support
Office of the Chief Information Officer**

NOAA Fisheries IT Coordinators

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Upon approval of this document, any and all previous NOAA Fisheries guidelines issued under the Flexiplace authority are hereby cancelled, except those necessary due to existing collective bargaining agreements.

Appendix A-1
NOAA Fisheries Telework Application and Agreement

-Section I (Completed by Employee)

Employee's Name: _____ Telephone #: _____
Job Title: _____ Series and Grade: _____
Division: _____ Office: _____
Supervisor's Name and Title: _____
Official Duty Station: _____
I Request to Telework at: _____
____ GSA Federal Telework Center (Location): _____ Phone: _____
____ Alternative Workplace (Location): _____ Phone: _____

-Section II (Telework Agreement)

The following constitutes an agreement on the terms and conditions of the telework arrangement for working at an authorized alternative workplace between the Employee and the Supervisor.

Description of work to be performed:

(A copy of the agreement will be retained by the supervisor and the employee for reference.)

Voluntary Participation

The employee voluntarily agrees to work at the approved alternative workplace indicated in Section 1. of the NOAA Fisheries Telework Application and Agreement. The supervisor concurs with the employee's participation. The employee and supervisor agree to follow all applicable policies and procedures established by the Department of Commerce, NOAA and NOAA Fisheries. The employee recognizes that the telework arrangement is not an employee entitlement, but an additional method that the employer may approve to accomplish work.

Performance/Work Assignments

The employee's most recent performance rating of record and current performance must be at least "Meets or Exceeds." The employee understands that a decline in performance may be grounds for canceling or modifying the alternative workplace arrangement. The employee agrees to complete all assigned work according to procedures mutually agreed upon by the employee and the supervisor and according to guidelines and standards in the employee's performance plan.

Approval Period

The employee will participate in the telework program on (check one):

____ A regularly scheduled (*continuing*) basis beginning: _____
date

____ A non-regularly scheduled (*intermittent or episodic*) basis beginning _____ for at
least _____ (date)
(up to one year)

____ This agreement shall expire on _____, unless cancelled or terminated earlier by either the approving official and/or employee, or renewed by agreement of the employee and approving official.

Official Duty Station and Alternative Workplace

The supervisor and employee agree that all pay, leave, and travel entitlement are based on the official duty station as shown in **Section 1. of the NOAA Fisheries Telework Application and Agreement.**

Work Schedule and Tour of Duty

The supervisor and employee agree that the employee's official tour of duty is as shown in the table below (insert days and hours).

	<u>Week 1 of pay period</u>	<u>Week 2 of pay period</u>
Official Duty Station		
Alternative Workplace		

(For guidance on flexible work schedules, refer to NOAA Alternative Work Schedule Plan, and specify the flexible band and the limits within which flexible hours may be worked.)

Special Circumstances:

Alternative Workplace Costs

The employee understands that the Government will not be responsible for any operating costs that are associated with the use of the employee's home as an alternative workplace, for example, home maintenance, insurance or utilities.

Entitlement to Reimbursements

The supervisor understands that the employee does not relinquish any entitlement to reimbursement for authorized expenses incurred while conducting business for the Government, as provided for by statute and regulations.

Equipment/Supplies

The employee agrees to protect any Government-owned equipment and/or supplies and to use the equipment only for official purposes. Any government-owned equipment issued to the employee will be serviced, maintained, and installed, if applicable, by NOAA Fisheries. The employee is responsible for maintaining, installing, and the servicing of any personal equipment needed. The supervisor will provide the employee with all necessary office supplies, and will arrange for the employee to make business-related long distance telephone calls at no cost to the employee.

Equipment needed to perform work at alternative workplace:

This section must be completed

NOAA Fisheries furnished: _____

Employee Furnished: _____

Alternative Workplace Inspection

The employee agrees to permit the Government to inspect the alternative work site during the employee's scheduled working hours with prior notice. The supervisor and employee agree that the purpose of any such inspection will be to ensure that the designated work area is adequate for performance of employee's official duties, meets required safety and security requirements, and to ensure proper maintenance of Government-owned property.

Salary and Benefits

The supervisor and employee agrees that a telework arrangement is not a basis for changing the **employee's salary, benefits, or entitlements.**

Overtime

The employee agrees to work overtime only when ordered and approved in writing by the supervisor and in advance of working the overtime. The employee understands that overtime work without such approval may not be compensated and may result in termination of the telework arrangement.

Leave

The employee agrees to follow established office procedures for requesting and obtaining approval of leave. The employee understands that if an emergency condition occurs either affecting the alternative workplace or the Federal government, the employee must contact the supervisor and follow appropriate dismissal or leave requesting procedures.

Time and Attendance Reports

The supervisor and employee are responsible for ensuring the accuracy of time and attendance reported for the employee's work at the official duty station and the alternative workplace. The supervisor agrees to certify biweekly the employee's Time and Attendance Daily Report for hours worked. The employee's timekeeper will retain a copy of the employee's work schedule.

Conducting Personal Business

The employee agrees not to conduct personal business at the alternative workplace while in an official duty status for example, caring for dependents or making home repairs.

Liability

The employee understands that the Government is not liable for damages to an employee's personal or real property while the employee is working at the approved alternative workplace, except to the extent the Government is held liable by the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act.

Worker's Compensation

The employee understands that (s)he is covered by Federal Employee's Compensation Act if injured in the course of performing official duties at authorized work locations. The employee agrees to notify his/her supervisor immediately of any accident or injury that occurs and to complete any required forms. The supervisor agrees to process such a report immediately.

Maintenance of Records

The supervisor is responsible for maintaining all forms and records associated with this agreement.

Standards of Conduct

The employee agrees to abide by the Department of Commerce Standards of Ethical Conduct Standards while working on official duty.

Disclosure

The employee agrees to protect Government records from unauthorized disclosure or damage and will comply with requirements of the Privacy Act of 1974, 5 U.S.C. 552a, and all other regulatory guidance controlling the protection and use of government records.

Termination

The supervisor and employee understand that either party may terminate the Telework agreement with reasonable advance notice, generally two (2) administrative work weeks, but not less than seven (7) calendar days and require the employee to resume working at his/her official duty station. Reasons for termination will be documented by the supervisor and/or employee on NOAA's Telework Termination Form and filed with this agreement.

Compliance with this Agreement

The employee's failure to comply with the terms of this agreement may result in the termination of this agreement and the telework arrangement. Failure to comply with the provisions of this agreement may also result in appropriate disciplinary or adverse action against the employee.

Certification

By signing this agreement, the employee certifies that (s)he has read the terms of this agreement and agrees to follow the policies and procedures outlined in them as well as all other applicable regulations, policies, and procedures:

Employee's Signature: _____ Title: _____ Date: _____

Supervisor's Signature: _____ Title: _____ Date: _____

Approving Official's Signature: _____ Title: _____ Date: _____

-Section III (Approval/Disapproval)

Your request to participate in the telework program is:

___ **Approved as written:**

___ **Approved with the following modification(s):**

___ GSA Federal Telework Center (Location): Phone:

___ Alternative Workplace (Location): Phone:

___ Other Phone:

Disapproved for the following reason(s):

___ The employee does not have sufficient duties or work activities suitable for performance at an alternative work site.

___ The employee's absence from the work place under a telework arrangement will unacceptably impact the operation of the work unit.

___ The extent of supervision required for the employee could not be achieved in conjunction with a telework arrangement.

___ The employee's alternative work site does not meet prescribed acceptability standards. (State the specific deficiency issue(s), such as: safety, two-way communications, access to required materials, IT security, or non-work related distractions and/or obligations.)

___ The employee does not meet performance eligibility requirements. (State the specific deficiency issue(s) such as: writing, problem-solving, reliability for following prescribed policies and procedures, organization/time management skills, or work quality and/or quantity.)

___ The employee does not meet conduct-related eligibility requirements. (State the specific deficiency issue(s), such as: leave abuse, excessive absence, or a record of misconduct which precludes participation at this time. (NOTE: *If no additional misconduct in one (1) year, employee may reapply.*)

___ Other (please specify):

Supervisor's Signature: _____ Date: _____

Approving Official's Signature: _____ Date: _____

NOAA FISHERIES TELEWORK SAFETY CHECKLIST - PRIVATE RESIDENCE

Note: Complete this only if the proposed alternative workplace is located in a private residence.

This checklist is designed to assess the overall safety of the designated work area of the alternative workplace. Each applicant should read and complete the self-certification safety checklist. Upon completion, the checklist should be signed and dated by the applicant.

Applicant: _____ Office Telephone: _____

Location of alternative workplace: _____ Alt Workplace Telephone: _____

Description of the designated work area:

Within the designated work area:

1. Are all stairs with four or more steps equipped with handrails? ___ Yes ___ No ___ N/A
2. Are all circuit breakers and/or fuses in the electrical panel labeled as to intended service?
___ Yes ___ No ___ N/A
3. Is all electrical equipment free of recognized hazards that would cause physical harm (frayed wires, bare conductors, loose wires, flexible wires running through the walls, exposed wires fixed to the ceiling)? ___ Yes ___ No ___ N/A
4. Will the building's electrical system permit the grounding of electrical equipment? ___ Yes ___ No ___ N/A
5. Are aisles, doorways, and corners free of obstructions to permit visibility and movement? ___ Yes ___ No ___ N/A
6. Are file cabinets and storage closets arranged so drawers and doors do not open into walkways? ___ Yes ___ No ___ N/A
7. Are the chair casters (wheels) secure and the rungs and legs of the chair sturdy? ___ Yes ___ No ___ N/A
8. Are the phone lines, electrical and extension cords secured under a desk or alongside a baseboard? ___ Yes ___ No ___ N/A
9. Is the office space neat, clean, and free of excessive amounts of combustibles? ___ Yes ___ No ___ N/A
10. Are floor surfaces clean, dry, and level? ___ Yes ___ No ___ N/A
11. Are carpets well secured to the floor and free of frayed or worn seams? ___ Yes ___ No ___ N/A
12. Is there sufficient light for reading? ___ Yes ___ No ___ N/A

I hereby certify that I will take all necessary corrective actions to eliminate any hazard (as revealed by a negative response) before I begin to telework.

Employee's Signature: Date: _____

NOAA FISHERIES TELEWORK TERMINATION FORM

The telework option is not an employee right but rather falls under the supervisor's discretion to determine how work should be accomplished with the organization. Termination from the telework agreement can be either voluntary or involuntary.

This is notification that the telework agreement, which was signed on _____ is no longer in effect and is hereby terminated. Termination is based on (Please check one):

- ☐ Voluntary Withdrawal
- ☐ Involuntary Withdrawal

If involuntary terminated, this decision was based on:

- ☐ The employee does not have sufficient duties or work activities suitable for performance at an alternative work site.
- ☐ The employee's absence from the work place impacted the operation of the work unit.
- ☐ The extent of supervision required for the employee could not be achieved.
- ☐ The employee's alternative work site does not meet prescribed acceptable standards. (State the specific deficiency issue(s)).
- ☐ The employee does not meet performance-related eligibility requirements. (State the specific deficiency issue(s)).
- ☐ The employee does not meet conduct-related eligibility requirements. (State the specific deficiency issue(s)).
- ☐ The employee was reassigned or detailed to a new position. A new agreement is required.
- ☐ Other (please specify):

Receipt Acknowledged:

Employee's Signature: Date: _____

Supervisor's Signature: Date: _____

Approving Official's Signature: Date: _____